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15 Attorneys for United States of America

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA

18 SAN FRANCISCO DIVISION

19 UNITED STATES OF AMERICA,

20 Plaintiff,

21 v.

22 Approximately 69,370 Bitcoin (BTC), Bitcoin
23 Gold (BTG), Bitcoin SV (BSV), and Bitcoin
24 Cash (BCH) seized from

25 1HQ3Go3ggs8pFnXuHVHRytPCq5fGG8Hbhx

26 Defendant.

27 ILIJA MATUSKO,

28 Claimant.

) CASE NO. CV 20-7811 RS

) **DECLARATION OF CLAUDIA A. QUIROZ IN
SUPPORT OF UNITED STATES' MOTION TO
STRIKE THE VERIFIED CLAIM OF
CLAIMANT ILIJA MATUSKO**

Hearing Date: September 9, 2021
Time: 1:30 p.m.
Court: Hon. Richard Seeborg

1 I, CLAUDIA A. QUIROZ, state as follows:

2 1. I am an Assistant United States Attorney in the Northern District of California. I am an
3 attorney of record in the above-referenced matter. I respectfully submit this declaration in Support of
4 the United States' Motion to Strike the Verified Claim of Ilija Matusko.

5 2. Attached hereto as Exhibit 1 is a true and accurate copy of the Declaration of Publication
6 filed by the United States Attorney's Office in the Southern District of New York on January 2, 2014 in
7 the matter of *United States of America v. Any And All Assets of Silk Road, Including But Not Limited To*
8 *The Silk Road Hidden Website And Any And All Bitcoins Contained In Wallet Files Residing On Silk*
9 *Road Servers, Including The Servers Assigned The Following Internet Protocol Addresses [] And All*
10 *Property Traceable Thereto*, Case No. CV-13-06919, located on PACER as Dkt. No. 13.

11 3. Attached hereto as Exhibit 2 is a true and accurate copy of an email exchange between
12 Assistant United States Attorney David Countryman and counsel for Matusko, Alexander Kugelman
13 dated June 1, 2021.

14 I declare under penalty of perjury that the foregoing is true and correct to the best of my
15 knowledge and belief. Executed this 28th day of July 2021 in San Francisco, California.

16 Claudia A. Quiroz
17 CLAUDIA A. QUIROZ
18 Assistant United States Attorney

EXHIBIT 1

PREET BHARARA

United States Attorney for the
Southern District of New York

By: CHRISTINE I. MAGDO
Assistant United States Attorney
One St. Andrew's Plaza
New York, New York 10007
Tel. (212) 637-2297

- - - - - X

UNITED STATES DISTRICT COURT	:	
SOUTHERN DISTRICT OF NEW YORK	:	
UNITED STATES OF AMERICA,	:	
 Plaintiff,	:	<u>DECLARATION OF</u> <u>PUBLICATION</u>
 - v. -	:	No. 13 Civ. 6919 (JPO)
ROSS WILLIAM ULBRICHT,	:	
a/k/a "Dread Pirate Roberts,"	:	ECF Case
a/k/a "DPR,"	:	
a/k/a "Silk Road,"	:	
 Defendant,	:	
 ANY AND ALL ASSETS OF SILK ROAD,	:	
INCLUDING BUT NOT LIMITED TO THE	:	
SILK ROAD HIDDEN WEBSITE AND ANY AND	:	
ALL BITCOINS CONTAINED IN WALLET	:	
FILES RESIDING ON SILK ROAD	:	
SERVERS, INCLUDING THE SERVERS	:	
ASSIGNED THE FOLLOWING INTERNET	:	
PROTOCOL ADDRESSES:	:	
46.183.219.244; 109.163.234.40;	:	
193.107.86.34; 193.107.86.49;	:	
207.106.6.25; AND 207.106.6.32;	:	
 And all property traceable thereto,	:	
 Defendants-in-rem.	:	

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I, CHRISTINE I. MAGDO, pursuant to Title 28, United States Code, Section 1746, hereby declare under the penalty of perjury:

That I am an Assistant United States Attorney in the office of the United States Attorney for the Southern District of New York, and

That attached to this declaration are (1) a true and correct copy of a notice of civil forfeiture in this action, (2) a true and correct copy of an Advertisement Certification Report, indicating that the aforementioned notice was posted on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, beginning on October 18, 2013 as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, and

That both documents referenced-above were obtained from a Consolidated Asset Tracking System maintained by the Department of Justice.

Dated: New York, New York
January 2, 2014



CHRISTINE I. MAGDO

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK
COURT CASE NUMBER: 13 CV. 6919; NOTICE OF FORFEITURE ACTION**

Pursuant to 18 U.S.C. § 981, the United States filed a verified Complaint for Forfeiture against the following property:

Any and all assets of Silk Road, including but not limited to Silk Road Hidden Website. (13-FBI-007031)

Any and all assets of Silk Road, including but not limited to any and all Bitcoins contained in wallet files residing on Silk Road servers, including the servers assigned the following Internet Protocol Addresses 46.183.219.244. (13-FBI-007042)

Any and all assets of Silk Road, including but not limited to any and all Bitcoins contained in wallet files residing on Silk Road servers, including the servers assigned the following Internet Protocol Address: 109.163.234.40. (13-FBI-007046)

Any and all assets of Silk Road, including but not limited to any and all Bitcoins contained in wallet files residing on Silk Road servers, including the servers assigned the following Internet Protocol Address: 193.107.86.34. (13-FBI-007047)

Any and all assets of Silk Road, including but not limited to any and all Bitcoins contained in wallet files residing on Silk Road servers, including the servers assigned the following Internet Protocol Address: 193.107.86.49. (13-FBI-007049)

Any and all assets of Silk Road, including but not limited to any and all Bitcoins contained in wallet files residing on Silk Road servers, including the servers assigned the following Internet Protocol Address: 207.106.6.25. (13-FBI-007050)

Any and all assets of Silk Road, including but not limited to any and all Bitcoins contained in wallet files residing on Silk Road servers, including the servers assigned the following Internet Protocol Address: 207.106.6.32. (13-FBI-007051)

Any and all assets of Silk Road, including but not limited to 27,618.69843, Silk Road Market Place Bitcoins as of block chain Account Number 262280 which was seized on or about October 02, 2013. (14-FBI-000042)

Any person claiming a legal interest in the Defendant Property must file a verified Claim with the court within 60 days from the first day of publication (October 18, 2013) of this Notice on this official government internet web site and an Answer to the complaint or motion under Rule 12 of the Federal Rules of Civil Procedure within 21 days thereafter. 18 U.S.C. § 983(h)(1) permits a court to impose a civil fine on anyone asserting an interest in property which the court determines was frivolous.

The verified Claim and Answer must be filed with the Clerk of the Court, United States District Court, 500 Pearl Street, Room 120, New York, NY 10007, and copies of each served upon Assistant United States Attorney Christine Magdo, One St. Andrew's Plaza, New York, NY 10007, or default and forfeiture will be ordered. See, 18 U.S.C. § 983(a)(4)(A) and Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.



Advertisement Certification Report

The Notice of Publication was available on the www.forfeiture.gov web site for at least 18 hours per day between October 18, 2013 and November 16, 2013. Below is a summary report that identifies the uptime for each day within the publication period and reports the results of the web monitoring system's daily check that verifies that the advertisement was available each day.

U.S. v. Ross William Ulbricht, Silk Road et. al

Court Case No: 13 CV. 6919
For Asset ID(s): See Attached Advertisement Copy

Consecutive Calendar Day Count	Date Advertisement Appeared on the Web Site	Total Hours Web Site was Available during Calendar Day	Verification that Advertisement existed on Web Site
1	10/18/2013	24.0	Verified
2	10/19/2013	24.0	Verified
3	10/20/2013	24.0	Verified
4	10/21/2013	24.0	Verified
5	10/22/2013	24.0	Verified
6	10/23/2013	24.0	Verified
7	10/24/2013	24.0	Verified
8	10/25/2013	23.9	Verified
9	10/26/2013	24.0	Verified
10	10/27/2013	24.0	Verified
11	10/28/2013	24.0	Verified
12	10/29/2013	24.0	Verified
13	10/30/2013	24.0	Verified
14	10/31/2013	24.0	Verified
15	11/01/2013	24.0	Verified
16	11/02/2013	24.0	Verified
17	11/03/2013	24.0	Verified
18	11/04/2013	24.0	Verified
19	11/05/2013	24.0	Verified
20	11/06/2013	24.0	Verified
21	11/07/2013	24.0	Verified
22	11/08/2013	23.9	Verified
23	11/09/2013	24.0	Verified
24	11/10/2013	24.0	Verified
25	11/11/2013	24.0	Verified
26	11/12/2013	24.0	Verified
27	11/13/2013	24.0	Verified
28	11/14/2013	24.0	Verified
29	11/15/2013	24.0	Verified
30	11/16/2013	24.0	Verified

Additional log information is available and kept in the archives for 15 years after the asset has been disposed.

EXHIBIT 2

From: [Countryman, David \(USACAN\)](#)
To: [Alex Kugelman](#)
Cc: [Christopher Wajda - Black Raven Advisory Group LLC](#); [Quiroz, Claudia \(USACAN\)](#); [Kaltsas, Chris \(USACAN\)](#)
Subject: RE: Ross Ulbricht BTC Wallet Seizure
Date: Tuesday, June 1, 2021 11:14:53 AM
Attachments: [25 Declaration of Publication \(002\).pdf](#)

Mr. Kugelman,

The Notice of Civil Forfeiture was posted on November 27, 2020, as required by Supplemental Rule G(4). See attached. Accordingly, pursuant to 18 U.S.C. 983(a)(4)(A), the deadline to file a verified Claim with the Court expired on January 26, 2021. Any claim filed at this time would be untimely and subject to dismissal.

Sincerely,

David Countryman
Assistant U.S. Attorney
Northern District of California
450 Golden Gate Ave., 9th Floor
San Francisco, CA 94102
(415) 436-7303 voice
(415) 436-7234 fax

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From: Alex Kugelman <alex@kugelmanlaw.com>
Sent: Tuesday, June 1, 2021 9:48 AM
To: Countryman, David (USACAN) <dcountryman@usa.doj.gov>
Cc: Christopher Wajda - Black Raven Advisory Group LLC <cwajda.brag@protonmail.com>
Subject: Ross Ulbricht BTC Wallet Seizure

Mr. Countryman,

I am following up on my voicemail. My client recently learned of the seizure and may make a claim. I was hoping to get an update on the current status of the action, including any timeline for filing a claim and more information any notice provided by the government. Please let me know if you have any time to briefly discuss. Thank you.

Best,

Alex

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Alexander Kugelman
Kugelman Law P.C.
San Francisco: 415.968.1780
Orange County: 949.835.0440
alex@kugelmanlaw.com
www.kugelmanlaw.com

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